

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**SERVICE FINANCE COMPANY, LLC,**

**Plaintiff,**

**v.**

**YOU SAVE GREEN INCORPORATED dba  
YSG SOLAR; DAVID MAGID,**

**Defendants.**

Case No. 1:23-cv-09447-JGLC

**REQUEST FOR CLERK'S CERTIFICATE OF DEFAULT**

Pursuant to Fed. R. Civ. P. 55(a) and L.R. 55.1, Plaintiff, Service Finance Company, LLC, requests a Clerk's certificate of entry of default as to Defendant David Magid ("Magid"). Within the accompanying affidavit, I affirm that Magid: (1) is not an infant or incompetent person; (2) is not in the military service; (3) was properly served under Federal Rule of Civil Procedure 4, and proof of service has been filed with the Court (ECF No. 11); and (4) has defaulted in appearance in the above captioned action.

Respectfully submitted,

Dated: March 5, 2024

BALLARD SPAHR LLP

/s Justin E. Kerner

Justin E. Kerner

John D. Sadler (*pro hac vice to be filed*)  
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*Counsel for Plaintiff, Service Finance Company,  
LLC*

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**DECLARATION IN SUPPORT OF REQUEST FOR CERTIFICATE OF DEFAULT**

I, Justin Kerner, hereby declare as follows:

1. I am counsel of record for the plaintiff in this action.  
2. This action was commenced pursuant to 28 U.S.C. § 1332.  
3. The time for defendant David Magid (“Magid”) to answer or otherwise move with respect to the Complaint herein has expired.

4. Magid has not answered or otherwise moved with respect to the Complaint, and the time for Magid to answer or otherwise move has not been extended.

5. To the best of my knowledge, Magid is not an infant or incompetent, or presently in the military service of the United States as appears from facts in this litigation.

WHEREFORE, plaintiff, Service Finance Company, LLC, requests that the default of Magid be noted and a certificate of default issued.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information, and belief, that the amount claimed is justly due to plaintiff, and that no part thereof has been paid.

Dated: March 5, 2024

BALLARD SPAHR LLP

/s Justin E. Kerner

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DMFIRM #411450471 v1

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**[PROPOSED] CLERK'S CERTIFICATE OF DEFAULT**

I, RUBY J. KRAJICK, Clerk of the United States District Court for the Southern District of New York, do hereby certify that: this action was commenced on October 27, 2023, with the filing of a summons and complaint; and copies of the summons and complaint were served on defendant David Magid ("Magid") by serving his wife and co-resident, Shoshana Magid, and also by mail, and proofs of service therefore were filed on February 15, 2024 and February 20, 2024 (*see* ECF Nos. 18 & 19). I further certify that the docket entries indicate that Magid has not filed an answer or otherwise moved with respect to the Complaint herein. The default of Magid is hereby noted.

**Dated: New York, New York  
\_\_\_\_\_, 2024**

**RUBY J. KRAJICK  
Clerk of Court**

**By: \_\_\_\_\_  
Deputy Clerk**